

CERTIFICATE OF SERVICE

STATE OF NEW YORK)  
COUNTY OF SUFFOLK)

I, Richard B. Ziskin, an attorney admitted to practice in the courts of the State of New York and in the federal district courts of the Southern and Eastern Districts of the State of New York, do hereby certify, under the penalties of perjury, that true and correct copies of Defendant River Avenue Contracting Corp.'s Notice of Motion, the Declaration of Richard B. Ziskin, the exhibit annexed thereto, the Affidavit of Richard Tonyes and the accompanying Memorandum of Law, are served by e-mail and by mailing same in a sealed envelope, with postage pre-paid thereon, in a post office or official depository of the U.S. Postal Service within the State of New York, addressed to the last known address of the addresses as indicated below:

O'Dwyer & Bernstein, LLP  
Paul O'Dwyer Way  
52 Duane Street  
New York, NY 10007  
Att: Andrew Grabois, Esq.

Dated: Commack, New York  
October 2, 2007

  
RICHARD B. ZISKIN (RBZ-7378)